

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re: BRIDGESTONE/FIRESTONE, INC.,)	Master File No. IP 00-9373-C-B/S
TIRES PRODUCTS LIABILITY)	MDL No. 1373
LITIGATION)	(centralized before Hon. Sarah Evans
_____)	Barker, Judge)
THIS ORDER RELATES TO:)	
)	
BARBARA JO NORTH, et al., Plaintiffs, v.)	
)	Individual Case No. IP 01-5252-C-B/S
BRIDGESTONE/FIRESTONE, INC., et al.,)	
Defendants.)	
)	

ORDER DENYING MOTION FOR SUMMARY JUDGMENT

The plaintiffs have filed a Motion for Partial Summary Judgment or Motion in Limine seeking a judicial determination that the defendants cannot present evidence at trial of the plaintiffs' failure to use seatbelts. For the same reasons that we recently determined this issue not appropriate for resolution at the summary judgment stage (see Carrillo, et al. v. Bridgestone/Firestone, Inc., et al., Cause No. IP-00-5005-C-B/S (May 13, 2002), and Ramirez, et al. v. Bridgestone/Firestone, et al., Cause No. IP-00-5006-C-B/S (May 13, 2002)), the Court DENIES the plaintiffs' motion for partial summary judgment, without prejudice to the substantive arguments contained therein. The Court also DENIES the alternative motion in limine because the issue presented is more

properly addressed by the transferor court at or before trial.¹

It is so ORDERED this ____ day of May, 2002.

SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

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¹In response to the plaintiffs' motion, Bridgestone/Firestone, Inc. ("Firestone") argues, contrary to the position underlying its motions for summary judgment in Carrillo and Ramirez, that the plaintiffs' motion presents an evidentiary question, that it does not raise dispositive issues, and that the matter is more appropriately addressed by the trial court after remand. We find the position espoused by Firestone in *this* case to be more persuasive.

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